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"Application to Patent"

APPLICATION OF CECIL T. POUNDERS, JR.

For: Ilex Hybrid Variety Named 'Xia Yen'

SUMMARY OF THE INVENTION

My invention is a unique ornamental type of Ilex selected by me from a second generation group of open pollinated seedlings of *Ilex X attenuata* (*I. opaca* X *I. cassine*).

My goal was to select a tough ornate shrub combining *I. cassine's* fine leaf texture and uniform branching with *I. opaca's* better leaf color and tolerance of cold and moisture stress. This invention incorporates the desired traits from the original species differentiating it from all other forms of Ilex of which I am aware. The new clone has been named the 'Xia Yen' variety.

The variety exhibits the following combination of traits:

- (a) lustrous evergreen leaves intermediate in texture between leaves of the two parental species,
- (b) balanced, vigorous pyramidal crown without extensive shearing due to strong apical dominance,
- (c) annual crops of bright red fruit in early fall which remain until spring,
- (d) environmental tolerances equivalent to *I. opaca*.

'Xia Yen' was selected as a superior replacement for *Ilex X attenuata* 'Foster #2', a holly selection extensively planted in the southern United States. Under production conditions 'Xia Yen' is self-branching with strong apical dominance which reduces production cost when compared to Foster holly while in landscapes 'Xia Yen' displays superior leaf color and more symmetric branching. 'Xia Yen' resembles Foster #2 Holly's leaf texture and crown shape more than 'Xia Xiang' and 'Huo Yen' Hollies do.

My new variety, 'Xia Yen', has been asexually propagated by cutting at Mobile, Decatur, and Loxley, Alabama. Propagules demonstrated that the distinctive combination of characteristics has been established and transmitted to successive generations.

It is anticipated 'Xia Yen' will be marketed bearing the DIXIE STAR HOLLY trademark.

BRIEF DESCRIPTION OF THE PHOTOGRAPHS

The accompanying photographs show typical specimens of my new variety of *Ilex* during fall and early winter as depicted in color as true as is reasonably possible to make the same in color photographs of the character. The specimens illustrated were being grown in the ground at Decatur, AL and in nursery containers at Loxley, AL.

FIG. 1 illustrates shape, size and color of fruit and foliage,

FIG. 2 illustrates plant uniformity under nursery conditions.

DETAILED DESCRIPTION

The following is a detailed description of my new variety of *Ilex* made from observation of plants growing in the ground at Baldwin County, AL. Color terminology is in accordance with the R.H.S. Colour Chart of the Royal Horticultural Society, London, England.

Class: *Ilex X attenuata*

Parentage: *Ilex opaca X Ilex cassine*

Foliage:

Type.-Evergreen, glossy, coriaceous. Leaves elliptic-lanceolate, serrate with minute spine tipped teeth.

Size.-Leaf size ranges from 4-6 cm long and 1-2 cm wide. Size is affected by environmental factors such as light intensity and plant nutrition.

Color.-Upper surfaces of mature leaves are closest to Green Group 137A; lower surface Green Group 138B.

Petiole.-Ranges from 7 to 9 mm, grooved, color Greyed Red Group 178B.

Stems:

Color.-On new growth stems are Greyed Purple 187A, maturing to Greyed Green Group 197A. Bark on trunks and branches is Black Group 202D.

Inflorescence and Fruit:

Flowers.- Pistillate, usually solitary in leaf axils or at nodes just below leaves on initial spring growth; sepals 4, pedals 4; colored Orange White Group 159D, typical of parent species.

Fruit.-Drupe containing 4 woody pyrenes; ellipsoid; approximately 8 to 11mm in diameter.

Fruit color.- Dull to semi-glossy, Red Group 46B.

Plant growth characteristics:

Plants have a slender conical growth habit with seven year individuals growing to roughly 3 m in height and 1 m in width. Branching is symmetrical without extensive pruning with plants establishing a dominant central trunk. 'Xia Yen' produces adequate annual crops of colorful red berries but does not fruit as heavily as 'Huo Yen' holly. This variety's primary merit is a unique combination of foliage texture and dark green leaves in combination with superior plant form.

Environmental tolerance:

Testing to date indicates that 'Xia Yen' has improved cold hardiness and tolerance of moisture stress as compared to *Ilex cassine*. Environmental adaptation appears to be equivalent to *Ilex opaca*. It is anticipated that this new variety will be adapted to the same landscape conditions and climatic range associated with *I. opaca*.